

CHAPTER I

INTRODUCTION

BACKGROUND

The growing international world brings cooperation and peaceful life but can also bring problems such as disputes between the international community. Disputes cannot be separated from the many countries in the world which can be caused by political reasons, military strategy, economy or ideology or a combination of these interests. These disputes themselves can affect the international environment and threaten world peace, but there are also disputes that do not affect the international environment and only involve the disputing countries.

The United Nations (UN) itself is an international organization established with the aim of maintaining international peace and security. The organization has been established since 1945. This objective is contained in article 1 paragraph 1 of the UN Charter, which contains:

“To maintain international peace and security, and to that end: to take effective collective measures for the presentation and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace”

International peace and security are the primary responsibility of the UN Security Council (UNSC). All UN members give their mandate in matters of international peace and security to the UNSC. The responsibility of the UN Security Council in maintaining international peace and security is contained in article 24, paragraph 1 and the mandate or agreement of all UN members regarding world peace security submitted to the UN Security Council is contained in article 25 of the UN Charter, which reads:

“In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace

and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.”

“The member of the United Nations agrees to accept and carry out the decisions of the Security Council in accordance with the present Charter”

The UNSC takes the lead in determining whether there is a threat to the peace or an act of aggression. All UN members have agreed and accepted the decisions of the UNSC in carrying out their role to maintain international peace and security. The UNSC has the authority to make decisions on international peace and security issues in accordance with the contents of the UN Charter.

When looking at the role of the UN as an international organization, one can ignore the role of the main UN agencies in dealing with the Russia-Ukraine conflict in Crimea. Key bodies such as the General Assembly can also issue conflict resolutions. In viewing the United Nations as an international organization, one cannot ignore the processes that occur within the United Nations which involve member states of the United Nations. Especially UN member countries that hold positions in the UNSC.

However, in the Crimea case, one of the UNSC permanent members was involved in the matter. Russia's involvement began with Russia's military intervention in Ukraine on February 28, 2014. The intervention began with the landing of Russian defense forces in the Perekop Isthmus area, followed by a blockade by Russian military forces from land, air and other routes which then cut off Ukraine's access to Crimea. The Russian military's occupation of Ukraine continued on March 12, 2014 with the deployment of Russian military forces in the Kursk, Belgorod, and Rostov regions which are located in the Russia-Ukraine border region. The intervention ended with Russia recognizing Crimea as an independent state and joining the new state of Crimea to Russia on 18 March 2014.

Until March 2015, approximately 6,000 people had died in this conflict as of April 2014. This number does not yet include the injured victims. The Ukrainian conflict will continue to claim deaths if this conflict is not stopped immediately.

The Ukrainian crisis can pose a threat to international peace and security. According to the United Nations, the threat to international peace and security itself can be interpreted as all kinds of conditions or processes that lead to an event of death on a large scale or reduce the chances of human life and damage a country which is part of the international system.

Russia's actions have violated one of the basic principles of the United Nations. One of the basic principles of the UN is respect for UN countries to respect the territorial boundaries of other countries. This has been mentioned in article 2 paragraph 4 of the UN Charter.

Thus, on March 15, 2014, Resolution S/2014/189 regarding the Russian-Ukrainian conflict in Crimea was issued by the UN Security Council. The resolution talks about rejecting the ratification of the Crimea referendum which makes the Ukrainian part of the territory part of Russia. However, the resolution then received a veto from Russia. The resolution did not really influence Russia to abandon its intention to annex Crimea from Ukraine, since Russia itself is one of the mandate holders of the UNSC member chair.

It doesn't just end there. The issue of the Russian-Ukrainian conflict in Crimea was then brought to the Plenary Session of the UN General Assembly. The UN General Assembly Plenary Session was held on March 27, 2014, after the UN Security Council failed to adopt a resolution due to a Russian veto. At the plenary session, the UN General Assembly succeeded in adopting resolution A/RES/68/262. The resolution discussed the rejection of the Crimean referendum and the territorial integrity of Ukraine received many approvals from UN countries. A total of 100 countries that joined the UN agreed, 11 countries said they did not agree, and as many as 58 countries abstained.

However, the resolution could not stop Vladimir Putin, the President of Russia. The Russian president stated that his country would not return Crimea to Ukraine. This statement was made by Vladimir Putin when he was interviewed by journalists from the Russian National Radio, VGTRK in February 2015. Previously,

Vladimir Putin had also explained that Crimea always belonged to Russia, as well as Ukraine and the Crimean Tartars.

Russia and Ukraine have a tangent geopolitical relationship. Geopolitically, Ukraine is on two sides, where pro-European is in the west, while pro-Russia is in the east. Both countries were once part of the Soviet Union, but when the Soviet Union collapsed, Ukraine declared its independence on August 24, 1991.(Dwi, 2015)

After Russia and Ukraine became independent countries, the two countries established relations on February 14, 1992 which discussed agreements and cooperations in 1997. Over time, bilateral relations between the two countries experienced ups and downs, including a change of leadership that brought Ukraine to the West which resulted in the reduced role of Russia. In addition, Ukraine also has a desire to become a member of the European Union, and in its development later emerged the desire of pro-European Ukrainian leaders to become a member of NATO.

On the economic front, disputes related to gas supply between Russia and Ukraine also occurred in 2006. Russia is a producer of oil and natural gas for many European countries, including Ukraine. Ukraine itself relies heavily on gas supplies from Russia and is a transit route for gas supplies from Russia to Europe. On January 1, 2006 there was a cessation of gas supply from Russia due to rising prices. This continued until the gas company reduced the number of deliveries, due to Ukraine's inability to pay its debts and fines to Russia. As a result, gas exports to Europe were hampered.(Mukhlis, 2016)

The tension between Russia and Ukraine has actually been going on since 2014. At that time, the Ukrainian people who chose to be more independent overthrew the pro-Russian president Viktor Yanukovich. Pro-EU demonstrations occurred due to rejection of Viktor's policy of preferring trade relations with Russia. The ouster of Viktor caused a conflict in the Ukrainian government until it was divided into two groups, pro-European Union, and pro-Russia. Pro-Russians come

from Crimean society as well as politicians. Unfortunately, Russia's interest in resolving Ukraine's internal conflict has become an attempt to exploit Russia to gain territory in Crimea. Crimea's strategic location seems to have been used by Russia to strengthen its influence in Eastern and Central Europe. In the end, the Crimean parliament held a referendum when the Crimean crisis ended on March 16, 2014 by merging with Russia and breaking away from Ukraine. After the Crimean crisis, the ups and downs of Russia-Ukraine relations continued until February 2022. The crisis started when NATO was trying to expand its membership to Eastern Europe by attracting Ukraine as a target. This was considered by Russia as a threat and a violation, and as a result, President Putin did not let Ukraine get away with it. This is something that is natural for a Russian president who does not let his 'brother in arms' escape.

Therefore, the Russian spokesman denied accusations from the West that his country was planning to invade Ukraine and considered the accusations to be just a provocation to increase tensions. But unfortunately, Russia's actions have had an impact on the founding countries of NATO. The impact was the actions of the US and Canada which relocated their embassy staff to the city of Lviv, which is 70 kilometers from the Ukrainian-Polish border. The two countries and the UK have clearly shown their firm support for Ukraine's sovereignty. The impact of this support seems to make Russia even more distrustful of Ukraine. Apart from the crisis of trust between Russia and Ukraine, efforts to resolve the conflict still need to be carried out.

The United Nations (UN) has called for diplomacy and dialogue to be the best way to resolve conflicts. This is important to do to prevent a new chapter of the "Cold War" that could take place between Russia and the US. If a war occurs, it certainly threatens the safety of many people and the impact is very broad, not only in Eastern Europe. Implications like this can arise from the Russian-Ukrainian conflict from the many other consequences or impacts. Other impacts include requests by foreign governments for citizens to leave Ukraine immediately. Then there are tough sanctions that have been prepared by other European countries, and

the economic consequences that can be experienced by the major Western economic groups of the G-7 (seven developed countries with the largest economies). This group has even stated its readiness to act quickly in support of the Ukrainian economy. The sanctions imposed on Russia further show that Ukraine has the support of many parties. Therefore, Russia at least needs to think again if it is going to carry out a military invasion of Ukraine.(Black, Kohn, Curtiss, & Dallin, 1957)

RESEARCH QUESTION

1. How the response of UN about war crime that Russia did towards Ukraine?

PURPOSE OF RESEARCH

1. To find out what policies have been issued by UN towards the Russia-Ukrainian conflict.
2. To explain and analyze the process of UN efforts towards the Russia-Ukrainian conflict in order to achieve peace between the two sides.

THEORITICAL FRAMEWORK

To analyze how the UN's attitude towards the Russian and Ukrainian conflicts, the author used theories and concepts in international relations. This study used liberalism theory and the concept of IGO to dissect deeper to compare whether these theories and concepts are very relevant to be applied in this study. Liberalism is an understanding or ideology that emphasizes freedom and human rights which has historically been associated with thinkers such as John Locke and Montesquieu.(WACANA, 2012) Liberalism is a political movement that has been considered better compared to preexisting theories in the last four centuries although the use of the word liberalism to refer to a particular political doctrine did not occur until the 19th century.

The Great Revolution that took place in 1688 in England laid the foundations for the development of the modern liberal state by limiting the power of the monarchy constitutionally, supremacy of parliament, passing the Bill of Rights, and establishing the principle of "consent of the governed". Liberalism

views war as a form of government that is undemocratic, militaristic and in the interests of the rulers themselves. Wars were started by the military class to expand power and wealth through the conquest of territory. According to Burchill, to overcome this, a democratic government system and free trade are needed. Democratic processes and institutions will decide the power of the ruling elite and prevent their tendency to use violence. Free trade will help in overcoming economic problems and uniting people in a community.

In overcoming global problems, such as the problem of conflict war crime, all parties are obliged to participate in tackling or provide various ideas to minimize these problems. The role of the government alone will not be enough to deal with this problem. The current complexity of international relations has also grown the role of non-state actors who can also participate in overcoming this phenomenon. International relations that occur at this time have been influenced by the participation of individuals to groups of international organizations. Each of these international relations actors correlate with one another. This creates a variety of relationships, such as transnational, trans-governmental, to forms of intergovernmental relations. All of these relationships are now concluded as international relations.(Auliarini, 2016)

An intergovernmental organization (IGO) is a type of institution whose members are recognized representatives of several national governments. IGOs often have their main offices in major cities. Members of IGOs or full-time professional employees are seen as international public servants and are required to acquire a supranational or organizational allegiance.(Triwahyuni, 2018)

The general assemblies of IGOs, which are typically made up of the member nations represented, decide on the organizations' long-term objectives. According to a fixed timetable, they convene plenary or plenary sessions to decide the parameters of public policy and the next course of action. An executive board made up of a few permanent or fluctuating government delegates oversees the IGO. The executive branch, secretariat, and administration are significant duties of this board.

The purpose of the IGO is to resolve international issues amicably without resorting to violence and to further the interests of its member nations by fostering international cooperation and communication. According to the notion of international organizations, the IGO performs the following three tasks:

1. Since IGOs are primarily formed by nations concerned with their own national interests as well as those of other nations, they are frequently used by nations as a diplomatic tool.
2. As a neutral setting for dialogue where people can collaborate, concur, and even disagree. This platform is where nations may present your interests and point of view to the forum.
3. IGOs take on the role of independent actors while deciding on policies. by being able to function in a manner that was governed by mandates, suggestions, and decisions made at the time the organization was founded.

Due to its significant position, whose primary responsibility is to uphold the peace as set forth in the 1945 UN Charter and since the UNSC is one of the six UN organizations, the IGO theory can be applied to the UNSC. In accordance with the UN Charter's regulations, all elected member nations are required to abide by the decisions made by the five permanent members.

When it comes to releasing a resolution, the UNSC adopts decisions and resolutions that are considerably different from those made by other important organizations, which merely serve as recommendations and are not internally binding. While this is going on, UNSC decisions have binding legal effect and may even go against the fundamentals of international law. This is because UNSC resolutions have legal force that is binding on both UN members and non-members of the organization.(Amelia & Tansia, 1907)

HYPOTHESIS

The effectiveness of the United Nations as a Russian-Ukrainian conflict resolution organization in Crimea can be calculated from three things, namely

output, outcome, and impact. The discussion and decision making are an output form of what the United Nations has done. The outcome is a change in the behavior of the actors involved in the Russian-Ukrainian conflict in Crimea. These changes can be seen from the articles of the resolutions that have been made by the countries involved in the conflict. Thus, one can see the changes made from the latest resolution with the resolution set before. Meanwhile, impact is the impact caused by the resolutions taken in the UN.

The effectiveness is then influenced by several factors. The United Nations as an organization for the resolution of the Russian-Ukrainian conflict is influenced by several factors, namely the procedures for resolution in the main UN agencies, the level 21 regime that binds UN member states, and the participation of stakeholders in the Russian-Ukrainian conflict in Crimea.

RESEARCH METHODS

1. Type of Research

This form of research employs descriptive qualitative research, where the approach is to undertake literature reviews on the subject under study in relation to an examination of UNSC policy regarding the Russia-Ukraine conflict. In order to generate an effective and coherent research, the author will use this strategy to comprehend the issue and to concentrate on the meaning and methodology in this study in detail and methodically. As a result, the author will have a thorough grasp of how to explain and defend the issues raised in this work.

2. Research Subject and Object

The present war between Russia and Ukraine affects not only the Asian and European regions but also the surrounding nations of Russia and Ukraine as well as the global world. The major issue of the conflict between Russia and Ukraine is the focus of this research. The UN recognized this and took measures to alleviate the situation. In this paper, the UN is the study's subject.

3. Data Retrieval Method

In this qualitative research method, data will be gathered through secondary sources, such as books related to the author's research, official journals of government reports, internet-based research, websites, reports, document-based research, and other supporting data that may be equally relevant to or related to the author's research.

4. Research Process

The author will use the method of data analysis for their research procedure. Data will be gathered by authors from reliable sources found in credible journals, books, print media, and websites. In order to develop findings from the formulation of the topic that the author studies, the research process will be carried out methodically, commencing with data management, investigation, and analysis of the sources that have been gathered. Given that the author's technique is descriptive qualitative, the research was only gathered through a literature review or other sources that may lend support to the study.

WRITING SYSTEMATIC

This thesis' writing is organized methodically based on the standards for scientific writing and is broken down into various chapters that each include talks in their own disciplines but are connected. This thesis is organized into three chapters in order to facilitate the theme of the problem's interpretation. They are as follows:

CHAPTER 1 INTRODUCTION

This chapter includes the title selection criteria, problem formulation, research objectives, tentative hypotheses, conceptual framework, research methodologies, and writing systematic.

CHAPTER 2 UNITED NATIONS POLICY AS A CONFLICT RESOLUTION ORGANIZATION THE CONFLICT BETWEEN RUSSIA AND UKRAINE

This chapter will explain the policies carried out by the UNSC towards the Russia-Ukraine conflict.

CHAPTER 3 UNSC'S EFFORT IN ITS PROCESS TO REDUCE THE RUSSIA-UKRAINE CONFLICT

This chapter will outline the UNSC's efforts to reduce the Russia-Ukraine conflict.

CHAPTER 4 CONCLUSION

The last chapter describes the conclusions of the research written in order to explain the points in the conclusions and answers of this research. The last chapter will also explain the author's suggestions for further research to be useful for authors who want to do research with the same theme or concept in the future.